

Docket No: 02-0277
Bench Date: 12/3/03
Deadline: N/A

M E M O R A N D U M

TO: The Commission

FROM: David Gilbert, Administrative Law Judge

DATE: November 24, 2003

SUBJECT: Commonwealth Edison Company

Petition for an Order Finding PDV Midwest L.L.C. in Violation of the Prohibition on Resale of Retail Electric Service contained in the Illinois Public Utilities Act and Set Forth in Rider 12, Conditions of Resale or Redistribution of Electricity by the Customer to Third Persons, and for Other Relief.

RECOMMENDATION: Docket Entry Authorizing Dismissal of Proceeding with Prejudice.

All parties jointly request that the Commission dismiss this proceeding with prejudice. Accordingly, I recommend that the joint motion be granted and this matter be dismissed with prejudice.

DG:jt